

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

UNITED STATES OF AMERICA

v.

Criminal Action No. 3:19cr130

OKELLO T. CHATRIE,

Defendant.

ORDER

This Order comes before the Court on its own initiative. On October 22, 2019, Defendant Okello T. Chatrie moved this Court to suppress evidence that law enforcement officers obtained pursuant to a general warrant of Chatrie's Google accounts (the "June 14, 2019 Geofence Warrant"). (Mot. Suppress Evid. 1, ECF No. 20.) On July 23, 2020, Chatrie filed an *ex parte* Application for Issuance of Subpoena *Duces Tecum* (the "Supoena"), requesting the Court issue a subpoena for educational and professional materials relating to Magistrate David M. Bishop, who signed the June 14, 2019 Geofence Warrant. (ECF No. 136.) On July 24, 2020, the Court granted the Application. (ECF No. 137.) On July 31, 2020, Bishop, through the Virginia Attorney General's Office, filed a Motion to Quash the subpoena (the "Motion to Quash"). (ECF No. 145.) On August 14, 2020, Chatrie responded. (ECF No. 148.) On August 21, 2020, Bishop replied. (ECF No. 150.) On October 5, 2020, the Court scheduled a status conference via conference call on the Motion to Quash for October 22, 2020 and a hearing on the Motion to Suppress for November 17, 2020.

The Parties clearly exchanged some information, such as Magistrate Bishop's educational history, either before or after the Subpoena was served. After reviewing the materials before it and in the interest of judicial efficiency, the Court DIRECTS the Parties to meet and confer about a potential stipulation of the below facts prior to the status conference with the Court scheduled for Thursday October 22, 2020. This stipulation would be in lieu of the disclosure of any documents.

- Magistrate Bishop's educational history
- Magistrate Bishop's date of appointment
- General magistrate training information as to warrants
- Specific magistrate training concerning Geofence warrants
- Number of warrants signed by Magistrate Bishop, particularly geofence warrants
- Length of Magistrate Bishop's probationary period

With the factual foundation of the written stipulation in hand, the Court could rule on the admissibility of the facts during the November 17, 2020 hearing.

It is SO ORDERED.

Date: 10/16/2020
Richmond, Virginia



M. Hannah Lauck
United States District Judge